

Fried, Frank, Harris, Shriver & Jacobson LLP

One New York Plaza
New York, NY 10004-1980
Tel: 212.859.8000
Fax: 212.859.4000
www.friedfrank.com



Direct Line: 212.859.8765
Email: william.johnson@friedfrank.com

October 21, 2013

By ECF

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1105
New York, NY 10007

**Re: United States of America v. Wells Fargo Bank, N.A.
Case No.: 12-CV-7527 (JMF)**

Dear Judge Furman:

This law firm represents Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) in the above-captioned action. Pursuant to this Court’s Individual Rules and Practices in Civil Cases (as revised September 3, 2013), Wells Fargo respectfully requests via this letter-motion, with the consent of Plaintiff’s counsel, that the initial pretrial conference be rescheduled.

There have been no prior party requests for an extension or adjournment of the initial pretrial conference date. However, on October 21, 2013, due to the fact that this action was stayed during the lapse of funding to the United States Department of Justice, the Court issued a Revised Scheduling Order rescheduling the initial pretrial conference (previously scheduled for October 23, 2013) for November 6, 2013 at 4:00 P.M.

As grounds for this request, Wells Fargo respectfully submits that one of its principal attorneys, William Johnson, is currently committed to business overseas during the week that includes November 6, 2013, and will not be able to attend the initial pretrial conference as it is currently scheduled.

Fried, Frank, Harris, Shriver & Jacobson LLP

Hon. Jesse M. Furman
October 21, 2013
Page 2

On October 21, 2013, counsel for Wells Fargo spoke to counsel for the Plaintiff, Sarah North, who authorized Wells Fargo to represent that the United States consents to Wells Fargo's request to reschedule the initial pretrial conference.

Wells Fargo and the United States also conferred regarding potential alternative dates for the pretrial conference. If it is convenient for the Court, the parties jointly propose the following dates/times for the conference: November 14 (afternoon), November 15 (anytime), or November 20 (anytime).

In the alternative, if the Court does not wish to reschedule the initial pretrial conference, Wells Fargo requests that Mr. Johnson be excused from attending the initial pretrial conference. Another principal attorney for Wells Fargo, Doug Baruch, can attend the conference on November 6, 2013 at 4:00 P.M.

Respectfully submitted,

FRIED, FRANK, HARRIS, SHRIVER &
JACOBSON LLP

By:



William F. Johnson
Douglas W. Baruch, *pro hac vice*

Attorneys for Wells Fargo Bank, N.A.